SINGLE BENCH

(1) (3)

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH
AT BILASPUR

W.P.No.....4377...../2005

PETITIONERS

1] Smt. Asha Mishra
W/o Shri Naveen Agnihotri
Aged about -30- years
R/o Barpali Chowk,
Tehsil Champa,
Distt- Janjgir (C.G.)

2] Smt. Shyama Pandey
W/o Late Shri Ram Naresh Pandey
Aged about -45- years
R/o Rambagpara,
Tehsil & Distt- Raipur (C.G.)

P.R. No. 451615 Presented by Shri Hemant Dubey dated 31/5/05

VERSUS

RESPONDENTS

1) Shanti Bai Wd/o Mohan
Aged about- 48- years.
R/o Tikrapara
Tehsil & District – Raipur (C.G.)

2] Vishal Dubey S/o Mohan
Aged about- 20- years.
R/o Tikrapara
Tehsil & District – Raipur (C.G.)

3] Rakesh Dubey
S /o Ramadhin Dubey
Aged about -43--years.
R/o Halwai Line, Sadar Bazar,
Tehsil & District – Raipur (C.G.)

4] Santosh Mishra
S/o R.B. Mishra
Aged about-35-- years,
R/o Nandi Chowk, Tikrapara
Tah & Distt- Raipur.

5] Ramesh Mishra
S/o R.B. Mishra
Aged about-38- years,
R/o Nandi Chowk, Tikrapara
Tah & Distt- Raipur.

(4)

(2)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(40)

मामला क्रमांक ..... W.P. 4377/ ... **सन् 2005**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	16-9-2005 Heard Mr. Y.C. Sharma, counsel for the petitioners, on admission. By the instant writ petition under Article 226/227 of the Constitution of India, the petitioners have questioned the legality, propriety and correctness of the order dated 25-4-2005, whereby the trial Court has refused to grant time for filing reply of the application filed by respondents No.1 & 2 herein for setting aside the ex-parte decree which was passed in favour of the petitioners and respondents No.3 to 5 herein. I have perused the order in which it has been mentioned that reply of the said application has already been filed by non-applicants No.1 & 2 (respondents No.4 & 5 herein) and it has been mentioned that sufficient time has already been granted to non-applicants No.3 & 4, the petitioners herein, therefore, further time is not necessary, and rejected the prayer. As on record, reply has already been filed by the two non-applicants i.e. non-applicants No.1 & 2 (respondents No.4 & 5 herein), more over sufficient time was granted to the petitioners herein and they failed to utilize that time, I do not find any illegality or infirmity in the order impugned. The writ petition is therefore, liable to be dismissed and it is accordingly, dismissed, at the admission stage itself. Consequently, M.(W.)P.No.3561/2005 and I.A.No.7923/2005 stand disposed of. **Sd/-** **L.C. Bhadoo** **Judge**	

Soma

16.9.05